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**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 4001 of 2007**

- T.R. Kashyap, S/o Late Shri Shiv Narayan Kahsyap, aged about 53 years, working as in-charge Principal of J.M. Higher Secondary School Jagdeeshpur, Dist. Mahasamund (C.G.)

**---- Petitioner****Versus**

1. Chairman Menno Christian Education Society Office of Jyoti Higher Secondary School Korba C.G.
2. Secretary, Menno Christian Education Society Office Of Jyoti Higher Secondary School, Korba, District - Korba (C.G.)
3. District Education Officer, Mahasmund, District - Mahasamund (C.G.)
4. Shri M. Paik Upper Division Teacher, J.M. Higher Secondary School, Jagdeeshpur, District - Mahasamund (C.G.)

**---- Respondents****And****WPS No. 2937 Of 2008**

- Menno Christian Education Society (Society registered under the Society Registrikaran Adhiniyam, 1973 which is an organization run by minority group) Head quarter at Jagdeeshpur Distt. Mahasamund [C.G.] Through its Secretary, P.B. Sona S/o Sri B.R. Sona aged about 65 years, R/o Jyoti Higher Secondary School, Korba, Distt. Korba [C.G.]

**---- Petitioner****Vs**

1. State of Chhattisgarh, Through- Secretary, School Education Department, DKS Bhawan, Raipur [C.G.]
2. District Education Officer Mahasamund Distt. Mahasamund (Cg)
3. T.R. Kashyap S/o Late Shri Shiv Narayan Kashyap, aged about 54 years, Lecturer, J.M.Higher Secondary School Jagdishpur Distt. Mahasamund (Cg)

**---- Respondents**

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|-----------------------|---|------------------------------------------------------------|
| For Petitioners       | : | Dr. N.K. Shukla, Sr. Adv. with RS Patel (in WPS 4001/2007) |
| For Respondents-State | : | Ms. Sunita Jain, PL for the State                          |

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**Hon'ble Shri Justice Prashant Kumar Mishra**

**Order On Board**

**08/05/2017**

1. In WPS No.4001/2007 petitioner T.R. Kashyap has challenged the order dated 03.07.2007 passed by the Menno Christian Education Society directing him to handover the charge of the in-charge Principal to one Shri M. Piak. This order was subsequently withdrawn by the District Education Officer, Mahasamund on 07.05.2008 which is under challenge in WPS No.2937/2008. In this writ petition, the order passed by the District Education Officer has been stayed by this Court on 04.06.2008. Resultantly, Shri M. Piak has since been working as officiating principal.
2. When this petition was filed in the year 2007, petitioner T.R. Kashyap was 53 years of age, therefore, by now he would be of 63 years of age. Learned State counsel would inform that the age of superannuation of a Teacher in School Education Department or in any private institution is 62 years.
3. In view of the above, both the writ petitions have been rendered infructuous. They are dismissed as infructuous. However, liberty is reserved in favour of the petitioners to move afresh if the cause of action survives.

Sd/-

Judge

Prashant Kumar Mishra

Ashu